

Notice of Allowability

Application No.

09/722,177

Examiner

Igor N. Borissov

Applicant(s)

RYAN, FREDERICK W.

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination (RCE) of 12/01/2006.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☒ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>12/01/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Amendment

Amendment received on 12/20/06 is acknowledged and entered. Claims 17-32 have previously been canceled. Claim 1 has been amended. Claims 1-16 are currently pending in the application.

Claim Rejections - 35 USC § 103

Claim Rejections under 35 USC § 103 have been withdrawn due to the applicant's amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Ronald Reichman (Reg. No.: 26,796) on Monday, January 22, 2007.

The application has been amended as follows:

IN THE CLAIMS

9. (Twice Amended) A method of operating a postage metering system to print a postal indicium having non-authorization data, the method comprising the step(s) of:

executing a transaction session between a computer and an authentication unit to generate postal data to be included in the postal indicium;

Art Unit: 3628

transmitting a print request to a printer to print the postal indicium, the printer including an unsecure print head and a secure print head;

printing the non-authorization data with the unsecure print head; and

printing forensic evidence of the authenticity of the postal indicia with the secure print head, the forensic evidence being generated by the postage metering system[[.]],

wherein the secure print head is mounted at a particular angle to produce a print density that is detected by spectral analysis.

Allowable Subject Matter

Claims 1-16 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 1 and 9, the best prior art, Herbert (US 6,102,592) in view of Wright et al. (US 4,900,904), teaches a system and method for secure postage metering system, said system including a computer; an authentication unit; a printer including an unsecure print head and a secure print head; and a control system; said method including executing a transaction session between a computer and an authentication unit to generate postal data to be included in the postal indicium; transmitting a print request to a printer to print the postal indicium; printing the non-authorization data with the unsecure print head; and printing forensic evidence of the authenticity of the postal indicia with the secure print head, the forensic evidence being generated by the postage metering system.

However, Herbert in view of Goldhaber et al. and further in view of Wright et al. fails to teach or suggest that said secure print head is mounted at a particular angle to produce a print density that is detected by spectral analysis.

Art Unit: 3628

The best foreign art, Gargiulo et al. (EP 0 825 562 A2) while teaching a system and method for remotely changing security features of a postage meter, fails to teach or suggest the use of secure print head which is mounted at a particular angle to produce a print density that is detected by spectral analysis.

The best NPL prior art, INFORMATION-BASED INDICIA PROGRAM (IBIP); PERFORMANCE CRITERIA FOR INFORMATION-BASED INDICIA AND SECURITY ARCHITECTURE FOR CLOSED IBI POSTAGE METERING SYSTEMS (PCIBI-C); United States Postal Service, while teaching guidance to secure postage transactions, fails to teach or suggest the use of secure print head which is mounted at a particular angle to produce a print density that is detected by spectral analysis.

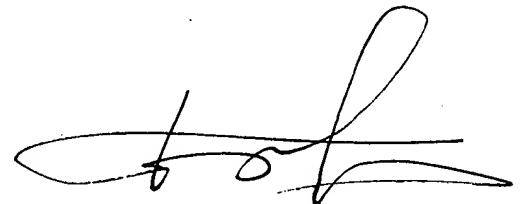
The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Igor N. Borissov', with a large, stylized loop at the end.

IGOR N. BORISSOV
PRIMARY EXAMINER

IB

01/22/2007